

Exhibit 12

1 UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF SOUTH CAROLINA
3 COLUMBIA DIVISION

4 THE SOUTH CAROLINA)
5 STATE CONFERENCE OF)
6 THE NAACP, et al.,)

7 Plaintiffs,)

Case No. 3:21-CV-03302-MGL-
TJH-RMG

8 vs.)

9 THOMAS C.)
10 ALEXANDER, et al.,)

11 Defendants.)
12)
13)

14 Videotaped Remote Deposition of
15 SENATOR GEORGE EARLE CAMPSER, III
16 (Taken by Plaintiffs)
17 Isle of Palms, South Carolina
18 Friday, August 5, 2022
19
20
21
22
23

24 Reported in Stenotype by
25 Lauren M. McIntee, RPR, CRR
Transcript produced by computer-aided transcription

APPEARANCES

ON BEHALF OF THE PLAINTIFFS:

John S. Cusick, Esquire (via Zoom)
Leah C. Aden, Esquire (via Zoom)
NAACP Legal Defense & Educational Fund, Inc.
40 Rector Street, 5th Floor
New York, New York 10006
(212) 965-7715
Jcusick@naacpldf.org
Laden@naacpldf.org

-and-

Adriel Cepeda, Esquire (via Zoom)
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, New York 10004
(212) 549-2500
acepedaderieux@aclu.org

ON BEHALF OF THE SENATE DEFENDANTS:

Vordman Carlisle Traywick, III, Esquire (via Zoom)
Cynthia Nygord, Esquire (via Zoom)
Robinson Gray, LLC
1310 Gadsden Street
Columbia, South Carolina 29201
(803) 231-7845
ltraywick@robinsongray.com
Cnygord@robinsongray.com

-and-

John M. Gore, Esquire (via Zoom)
Jones Day
51 Louisiana Avenue NW,
Washington, District of Columbia 20001
(202) 879-3939
Jmgore@jonesday.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ON BEHALF OF THE ELECTION DEFENDANTS:
Jane W. Trinkley, Esquire (via Zoom)
Burr & Forman, LLP
1221 Main Street, Suite 1800
Columbia, South Carolina 29201
(803) 753-3241
Jtrinkley@burr.com

ON BEHALF OF THE HOUSE DEFENDANTS:
Rhett Ricard, Esquire (via Zoom)
Nexsen Pruet, LLC
205 King Street, Suite 400
Charleston, South Carolina 29401
(843) 720-1707
Rricard@nexsenpruet.com

ALSO PRESENT:

Brendan Rolland (via Zoom)

Michael Kirby, Videographer (via Zoom)

1 VIDEOTAPED REMOTE DEPOSITION OF SENATOR GEORGE EARLE
2 CAMPSSEN, III, a witness called on behalf of Plaintiffs,
3 before Lauren M. McIntee, Registered Professional
4 Reporter, Certified Realtime Reporter, and Notary
5 Public, in and for the State of North Carolina, in Isle
6 of Palms, South Carolina, on Friday, August 5, 2022,
7 commencing at 9:10 a.m.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX OF EXAMINATIONS

By Mr. Cusick.....	Page 9
By Mr. Traywick.....	Page 210

INDEX OF EXHIBITS

NUMBER	EXHIBIT	MARKED
Exhibit 1	Subpoena	46
Exhibit 2	Senator George Campsen's Objections and Responses to Plaintiffs' Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action	49
Exhibit 3	Text Messages (SCSENATE_00027301 to 27316)	57
Exhibit 4	2021 Policy For Public Plan Submissions, South Carolina Senate Judiciary Committee Redistricting Subcommittee (SCSENATE_00003723 to 3724)	111
Exhibit 5	Email Exchange Ending on the First Page From Lynn Teague to Paula Benson, Dated September 30, 2021 (SCSENATE_00003749 to 3751)	114
Exhibit 6	Email Exchange Ending on the First Page From Lynn Aden to Senate Redistricting, et al., Dated October 8, 2021 (SCSENATE_00003798 to 3834)	116
Exhibit 7	2021 Redistricting Guidelines, South Carolina Senate Judiciary Committee, Redistricting Subcommittee (SCSENATE_00003721 to 3722)	118
Exhibit 8	July 20th of 2021 Hearing Transcript (SCNAACP_CD_011429 to 11485)	124

1	EXHIBITS (Cont'd)		
2	NUMBER	EXHIBIT	MARKED
3	Exhibit 9	September 13, 2021, Email From Madison Faulk to Maura Baker with Attachments (SCSENATE_00022919 to 22925)	157
5	Exhibit 10	November 12th Senate Judiciary Hearing (SCNAACP_CD_011844 to 11843)	159
7	Exhibit 11	Staff Subcommittee Plan Map	163
8	Exhibit 12	November 29th, 2021, Hearing Transcript (SCNAACP_CD_011729 to 11934)	171
10	Exhibit 13	January 5, 2022, Email From Will Roberts to Senator Campsen (SCSENATE_00022581 to 22584)	174
12	Exhibit 14	Text Messages (SCSENATE_00027173 to 27174)	177
13	Exhibit 15	Email Exchange Ending on the First Page From Breedon John to Chip Campsen, et al., Dated October 8, 2021, with Attachment (SCSENATE_00022547 to 22549)	178
16	Exhibit 16	January 11, 2022, Email From Breedon John to Chip Campsen, et al., with Attachment (SCSENATE_00022561 to 22564)	180
19	Exhibit 17	January 11, 2022, Email From Michelle McGee to Luke Rankin, et al. (SCSENATE_00022556 to 22557)	181
21	Exhibit 18	January 13, 2022, Hearing Transcript (SCNAACP_CD_011935 to 12054)	188
23	Exhibit 19	January 17, 2022, Email From Robert Oppermann to Andy Fiffick with Attachment (SCSENATE_00003269 to 3277)	193
25			

1		EXHIBITS (Cont'd)	
2	NUMBER	EXHIBITS	MARKED
3	Exhibit 20	List of Written Testimony Received After Announcement of Meeting, January 11, 2022 (SCSENATE_00023933 to 24040)	196
4			
5	Exhibit 21	January 16, 2022, Email From Will Roberts to Andy Fiffick with Attachment (SCSENATE_000022528 to 22530)	197
6			
7	Exhibit 22	January 17, 2022, Email From Breedon John to Chip Campsen, et al., Zoom Invite (SCSENATE_00022510)	199
8			
9	Exhibit 23	January 18, 2022, Email From Paula Benson to Chip Campsen, et al., with Attachment (SCSENATE_000022356 to 22364)	199
10			
11	Exhibit 24	January 18, 2022, Email From Luke Rankin to Andy Fiffick with Attachment (SCSENATE_00022289 to 22291)	201
12			
13	Exhibit 25	January 19, 2022, Hearing Transcript (SCNAACP_CD_013197 to 13264)	204
14			
15	Exhibit 26	January 20, 2022, Hearing Transcript	207
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

1 THE VIDEOGRAPHER: We're on the record at
2 9:10 a.m. This is the deposition of Senator George
3 E. Campsen, III. This deposition is being held on
4 August 5th, 2022. The court reporter is Lauren
5 McIntee. The videographer is Michael Kirby. The
6 court reporter will now do the swearing.

7 THE COURT REPORTER: Participating attorneys
8 recognize that all parties, including the witness
9 and court reporter, are participating remotely. In
10 lieu of an oath administered in person, the witness
11 will verbally declare that their testimony in this
12 deposition is under penalty of perjury and will be
13 the truth, the whole truth, and nothing but the
14 truth.

15 Counsel stipulate that all objections to the
16 remote participation are waived. Please state your
17 name and indicate your agreement on the record.

18 MR. TRAYWICK: Lisle Traywick agrees on
19 behalf of the Senate defendants.

20 MR. CUSICK: John Cusick agrees behalf of
21 plaintiffs.

22 MS. TRINKLEY: Jane Trinkley on behalf of the
23 Election defendants.

24 THE COURT REPORTER: If that's all, counsel,
25 you may proceed.

1 MR. CUSICK: Thank you.

2 EXAMINATION

3 BY MR. CUSICK:

4 Q. Good morning, Senator Campsen. How are you
5 doing today?

6 A. Good morning. Doing fine. Thank you.

7 Q. My name is John Cusick. I'm one of the
8 attorneys representing the plaintiffs in this lawsuit,
9 The South Carolina State Conference of the NAACP versus
10 Alexander. If you could please state your full name for
11 the record, spelling your last name.

12 A. George Earle Campsen, III. C-A-M-P-S-E-N.

13 Q. Great. Thank you.

14 MR. CUSICK: And I'd like to just briefly go
15 around the virtual room, if you will, for any
16 attorneys planning to make an appearance today. And
17 we can begin with House defendants.

18 Hearing none, I will turn to the Election
19 defendants, Ms. Trinkley.

20 MS. TRINKLEY: We're here.

21 MR. CUSICK: Great. And anyone else from the
22 Senate defendants?

23 MR. TRAYWICK: Lisle Traywick here on behalf
24 of the Senate defendants, and I believe John Gore is
25 participating remotely as well.

1 A. I think I probably did, yeah. I'm not sure,
2 but I really can't recall, but perhaps.

3 Q. Based on your understanding, if you
4 supported --

5 A. You can't -- keeping Charleston whole is a
6 misnomer because Charleston wasn't whole in the first
7 place. It hadn't been whole since 1992. So that is a
8 misnomer. You're not keeping it whole. It's not whole.
9 It wasn't whole to begin with.

10 Q. For people you reached out to for Beaufort to
11 be in CD1 and to be whole, wouldn't they also have had
12 an interest in the Senate Amendment 2 plan that kept
13 Beaufort County whole, kept it in CD1?

14 MR. TRAYWICK: Object to the form of the
15 question.

16 THE WITNESS: You want me to answer that now?

17 MR. TRAYWICK: Yeah, sorry. You can answer.

18 A. Well, I -- I think I verbally communicated to
19 her like that on the phone, that there was -- there's
20 another amendment that will do that, but that's not
21 going to go with Berkeley County, the one with the
22 tri -- and Dorchester and the Tri-County area. They're
23 going to protest that. And at this point, I don't
24 even -- I'm not even sure that Senator Harpootlian's
25 amendment had been formulated yet. I'm not -- I can't

1 recall. But I knew, at least I knew in the abstract
2 that that may happen, but that's probably not going to
3 fly because you're going to have a big pushback from
4 Berkeley and Dorchester County.

5 BY MR. CUSICK:

6 Q. But if -- if the primary purpose of folks who
7 were interested in Beaufort County being in CD1, from
8 your understanding and interactions, that would have
9 also been consistent with supporting Senate Amendment 2
10 that did that same thing --

11 A. No. Because I told --

12 Q. -- regardless --

13 A. No, because in my political judgment, that
14 wasn't going to pass. And so, because you would have a
15 big pushback from those -- from those counties. And so
16 don't vote for something that at the end of the day is
17 probably not going to pass. Vote for something that
18 keeps Beaufort in the 1st that will pass.

19 Q. But this is before you had a public hearing
20 on either of the two amendments, correct?

21 A. I'm not sure. I can't remember the -- the
22 dates that we had hearings. Perhaps it was.

23 Q. So when you said --

24 A. But I knew this was coming. I mean, I knew
25 what was coming. I had a sense of what was coming.

1 This -- as I recall, again I hadn't seen the whole text
2 chain, but I think in that chain, the first thing I do
3 is let -- is let Xiaodan know that, y'all testified at
4 the House. You can't sit on your laurels because the
5 Senate is a different body making a different plan. You
6 need to testify in the Senate too. Make -- make the
7 same case you made to the Senate that you made to the
8 House. Most people don't understand the process, and so
9 I just knew that they were interested enough to show up
10 and testify in the House; then you -- you need to
11 testify in the Senate.

12 Q. So was it your understanding before the
13 Senate Amendment 2 plan was proposed to members of the
14 public that there was no scenario in which it would --
15 it would pass the Senate?

16 A. It was my judgment, my political judgment
17 that you would have a hard time passing a plan that put
18 Berkeley, Dorchester in the 7th district with the Pee
19 Dee and the Grand Strand. There is no community of
20 interest whatsoever, whereas Charleston, Berkeley,
21 Dorchester are -- they're even -- they're called the
22 Tri-County area. They've been the Tri-County area for
23 well over a century. We have the Tri-County Association
24 of Realtors. We have the Tri-County Council of
25 Governments. You have Tri-County Chamber of Commerce.

1 It's -- it's the port. It's the, now the industrial
2 logistics and distribution facilities up I-26 in the
3 Nexton area and Summerville.

4 It's an integrated economic unit. And I just
5 knew that there would be a big pushback on Berkeley and
6 Dorchester for -- for taking them out of the 1st and
7 putting them into a district with Horry County and --
8 and -- and the Pee Dee.

9 Q. And so --

10 A. With no connection whatsoever. No community
11 of interest whatsoever there.

12 Q. And so here the text string continues. This
13 is the second one that was produced. Do you see that?

14 A. Yeah, I can see it, but I hadn't read it. I
15 didn't get to read it.

16 Q. Yeah, I'm not -- I mean, I'm not going to ask
17 you questions. I just wanted to show you that -- to
18 just -- so you can see that -- the full thread as I'm
19 scrolling through. Unfortunately, there's no date on
20 this one based on the screenshot, just the time. But I
21 just want you to see that one as well.

22 A. Okay.

23 Q. This one has a January 13th one. It looks
24 like it might -- might have been part of the other one
25 that was -- was not fully clipped.